

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

03 NOV 13 AM 9:36

CV 69-7941 BB (ACE)

RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla &
Canjilon Creek

Subfile No. CHCB-007-0005

MOTION FOR DEFAULT JUDGMENT

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendant:

HEIRS OF GILBERTO MARTINEZ

CHCB-007-0005

and as grounds plaintiff states:

1. The Court has jurisdiction over the defendant named above as shown by the Proof of Publication filed March 3, 2003 (No. 7072); Notice of Pendency of Suit issued December 3, 2002 (No. 6967); and Affidavit for Publication filed December 3, 2002 (No. 6966).


2. The defendant is in default for failure to appear, answer or otherwise defend in this action as shown by the Clerk's Certificate of Default filed October 22, 2003 (No. 7277).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendant incorporating the terms of the State's proposed consent order in this subfile and in conformance with the August 11, 2000 Rio Cebolla Hydrographic Survey and Report, and revisions thereto, as shown on the attached revised color subfile

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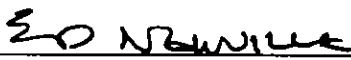
map for subfile CHCB-007-0005.

Respectfully submitted,


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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Motion for Default Judgment was mailed to following persons on November 13, 2003.


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|--|---|---|
| <p>Legend</p> <ul style="list-style-type: none"> — Irrigated Tract Boundary - - - No Right Tract Boundary ▲ Operable Ditch - - - Inoperable Ditch ● Stock Pond / Reservoir ○ Point of Diversion ○ Fallow <div style="text-align: center;"> <p>Scale</p> <p>1 inch = 300 feet</p> </div> <div style="text-align: center;"> <p>N</p> </div> | <p>STATE OF NEW MEXICO Office of the State Engineer Thomas C. Turney, State Engineer</p> <hr/> <p>Rio Chama Hydrographic Survey RIO CEBOLLA SECTION</p> | <p>Subfile Number CHCB-007-0005 Rincon Blanca Ditch AMENDED Jan. 3, 2002</p> <div style="text-align: center;"> </div> |
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